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15 IN THE UNITED STATES DISTRICT COURT  
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 )  
19 DIANE VON FURSTENBERG STUDIO, L.P., ) Civil Action No. C 07 5155 PVT  
Plaintiff, )  
20 v. )  
21 HAIHONG SUN D/B/A FASHION-INN, ) STIPULATED PERMANENT  
DAVID SUN D/B/A FASHION-INN, JOHN ) INJUNCTION AND JUDGMENT  
DOES 1-15, AND XYZ CORPS. 1-15 ) AND [PROPOSED] ORDER  
Defendants. )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

1 Plaintiff DIANE VON FURSTENBERG STUDIO, ("Plaintiff"), and Defendants HAIHONG  
2 SUN D/B/A FASHION-INN, DAVID SUN D/B/A FASHION-INN ("Defendants"), hereby submit this  
3 Stipulated Permanent Injunction and Judgment and [Proposed] Order as to Defendants.  
4

5 DATE: February 5, 2008

GREENBERG TRAURIG, LLP

7 By: /s/ Karen Rosenthal

Karen Rosenthal  
8 Attorneys for Plaintiff,  
9 Diane von Furstenberg Studio, L.P.

10 DATE: February 3, 2008

HAIHONG SUN D/B/A FASHION-INN

12 By: /s/ Haihong Sun

Haihong Sun

14 DATE: February 3, 2008

DAVID SUN D/B/A FASHION-INN

16 By: /s/ David Sun

David Sun

**[PROPOSED] ORDER**

2 Plaintiff DIANE VON FURSTENBERG STUDIO, L.P. (“DVF” or “Plaintiff”) having  
3 commenced this action for an injunction and other relief against Defendants HAIHONG SUN D/B/A  
4 FASHION-INN, DAVID SUN D/B/A FASHION-INN, (collectively, “Defendants”), pursuant to the  
5 Lanham Act (15 U.S.C. § 1051 et seq.), as amended by the Trademark Counterfeiting Act of 1984,  
6 Public Law 98-473 (the “Lanham Act”), and under the laws of the State of California, for trademark  
7 counterfeiting, trademark infringement, trademark dilution, unfair competition and false designation of  
8 origin, unjust enrichment, and misappropriation for the reason that the Defendants are alleged to be  
9 engaged in manufacturing, importing, exporting, marketing, advertising, distributing, offering for sale  
10 and/or selling goods (“Counterfeit Products”) bearing counterfeit reproductions of Plaintiff’s federally  
11 registered trademarks and trade names as defined in Plaintiff’s Complaint (collectively, “Plaintiff’s  
12 Trademarks”); and

13 Defendants having entered into a Settlement Agreement with Plaintiff and having stipulated to  
14 entry of this Permanent Injunction and Judgment; and

15 Plaintiff and Defendants, having indicated above their consent to the form an entry of this  
16 Stipulated Permanent Injunction and Judgment,

17       **IT IS HEREBY ORDERED** that Defendants, their officers, agents, servants, employees,  
18 attorneys, confederates, and any other persons acting for, with, by, through, under, or in active concert  
19 or participation with them, are permanently enjoined and restrained from:

20 (a) Using Plaintiff's Trademarks or any reproduction, counterfeit, copy, or colorable  
21 imitation of Plaintiff's Trademarks, alone or in combination with any word or words that so resemble  
22 each said trademark as to be likely to cause confusion, deception, or mistake, on or in connection with  
23 the import, export, manufacture, distribution, advertisement, promotion, offer for sale and/or sale of  
24 products which are not genuine products of Plaintiff, or in any manner likely to cause others to believe  
25 that Defendants' or another's products are connected with Plaintiff or Plaintiff's genuine products  
26 bearing Plaintiff's Trademarks; and

27 (b) Passing off, inducing or enabling others to sell or pass off any products that are not  
28 Plaintiff's genuine merchandise as and for genuine products of Plaintiff; and

(c) Committing any other acts calculated to cause purchasers or prospective purchasers to believe that Defendants' or another's products are Plaintiff's genuine merchandise unless they are such; and

(d) Manufacturing or arranging the manufacture of, importing, exporting, shipping, delivering, holding for sale, distributing, returning, transferring or otherwise moving, storing, or disposing of, in any manner, any labels, dresses or other items falsely bearing Plaintiff's Trademarks, logos or trade names or any reproduction, counterfeit, copy, or colorable imitation of same; and

(e) Making any representations, orally or in writing, to any member or segment of the public, that they are authorized, licensed or otherwise permitted by Plaintiff to manufacture, export, import, ship, deliver, distribute, offer for sale and/or sell Plaintiff's products unless they are such; and

(f) Assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in the above subparagraphs (a) through (e).

**IT IS FURTHER ORDERED** that Defendants, through their signatures above, and counsel for the Plaintiff may indicate the parties' consent to the terms of the Stipulated Permanent Injunction and Judgment by signing multiple counterparts, and that a faxed signature shall be deemed an original signature; and

**IT IS FINALLY ORDERED** that this Court has jurisdiction over the parties, and the subject matter of this action. This Court shall retain jurisdiction to the extent necessary to enforce this Permanent Injunction and Judgment and the Settlement Agreement between the parties, which is hereby made a part hereof and incorporated by reference, and to determine any issues that may arise under either.

**SO ORDERED:**

DATE: 2/29/08

  
Hon. Patricia V. Trumbull Jeremy Fogel  
United States Magistrate Judge  
District